

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14486, of Emanuel Persaud, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from one off-street parking space (Sub-section 7202.1) to use all floors and basement of the premises as a rooming house with six rooms in a C-2-A District at premises 829 Randolph Street, N.W., (Square 3027, Lot 40).

HEARING DATE: October 8, 1986
DECISION DATE: November 5, 1986

FINDINGS OF FACT:

1. The site is located on the north side of Randolph Street approximately sixty feet east of Georgia Avenue and is known as premises 829 Randolph Street, N.W. It is zoned C-2-A.
2. The site irregularly shaped. The site has a frontage of twenty-one feet on Randolph Street with a depth of approximately 47.1 feet on the west and 50 feet on the east.
3. The property is currently improved with a two-story plus basement, brick row dwelling.
4. The applicant purchased the property in September, 1985. The property was being used as a rooming house at that time. Subsequent to purchase of the property, the applicant discovered that no certificate to use the premises as a rooming house had ever been issued.
5. The applicant proposes to use the premises as a rooming house for six persons. Rooming house use is permitted as a matter-of-right in the C-2-A District, however, the applicant is required to provide one on-site parking space to serve the use. The applicant is unable to comply with the parking requirements and is, therefore, seeking variance relief.
6. To the west and north of the site, the lot is separated from adjacent properties by a three foot wide alley. To the east the premises abuts a similarly constructed rowhouse.

7. The lot has a rear yard averaging approximately twelve feet in depth. There is no access to the rear yard except the three foot alley.

8. The tenants of the rooming house generally attend Howard University or work in the immediate area and use public transportation convenient to the site along Georgia Avenue and generally do not own automobiles. The applicant further testified that he will screen prospective tenants to discourage automobile ownership.

9. The applicant testified that he canvassed the owners of property in the immediate area in order to lease a parking space nearby to serve the parking requirements of the site. The applicant was unsuccessful in leasing a parking space as of the date of the hearing. Subsequent to the conclusion of the public hearing and prior to the decision on this case, the applicant submitted a letter from a nearby property owner indicating that a parking space at that site would be available for lease to the applicant.

10. An interested person testified at the public hearing in support of the application. The basis for his support of the application was the need for single-room occupancies in the city to increase the city-wide supply of low-and-moderate-income housing. The witness testified that there is unrestricted public parking available along Georgia Avenue in the immediate vicinity of the site to serve the residents of the rooming house. The witness further testified that the average single-room tenant does not own an automobile and the proposed use would therefore not adversely impact the parking situation in the immediate area.

11. The record also contains a letter in support from the owner of 823 Randolph Street which indicates that the granting of the requested variance would not create an inconvenience to residents of the street because ample on-street parking is available, as well as a nearby Safeway parking lot which is routinely used by residents of the area.

12. A resident of the subject premises appeared at the public hearing and testified that parking along Randolph Street is controlled by the residential parking permit program. She testified that she does own an automobile and was ticketed prior to receiving her residential parking permit. She further testified that one other tenant of the facility owns a car, but that the tenants generally do not live at the premises for long periods of time.

13. Advisory Neighborhood Commission (ANC) 4C, by letter dated September 30, 1986, opposed the application for the following reasons:

- a. The house is too small for six roomers.
- b. Excess trash will be created making a trash disposal problem.
- c. A rooming house would distract from the residential quality of the area.
- d. Roomers would add to the already congested parking situation.

14. The record contains several letters in opposition to the use of the premises as a rooming house. Those letters generally echo the concerns raised by the ANC.

15. In addressing the concerns of the ANC and the opposition, the Board finds that:

- a. The subject premises is located in a C-2-A District which permits rooming house use as a matter-of-right. The use of the premises is therefore not at issue before the Board.
- b. The Board does not concur with the opposition's view that the granting of variance relief in the subject case will have a significant impact on the parking situation in the immediate neighborhood.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking an area variance, the granting of which requires the showing of an exceptional or extraordinary condition, inherent in the property itself, which creates a practical difficulty upon the owner. The Board concludes that the small size of the property, the existing improvements on the site, and the absence of alley access to the rear of the site combined represent an extraordinary condition inherent in the property. The Board concludes that the granting of the requested variance from the provision of one required parking space will not have an adverse impact on the parking situation in the immediate neighborhood.

The Board notes the efforts of the applicant to negotiate with nearby property owners to lease a parking space to serve the rooming house use. The Board encourages the applicant provide a leased parking space in the neighborhood if feasible.


The Board further concludes that the requested relief can be granted without substantially impairing the intent, purpose and integrity of the Zoning Regulations and will not

tend to adversely affect the use of neighboring property. Accordingly, it is hereby ORDERED that the application is GRANTED.

VOTE: 5-0 (Charles R. Norris, Paula L. Jewell, Maybelle T. Bennett, William F. McIntosh and Carrie L. Thornhill to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: DEC 19

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14486order/LJPN

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 14486

As Acting Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that copies of the Order of the Board in the above numbered case, said Order dated DEC 19 1986, has been mailed postage prepaid to the following parties who appeared and participated in the public hearing concerning this matter:

Emanuel Persaud
910 Webster St., N.W.
Wsh, D.C. 20011

Renee I. Mills
829 Randolph St., N.W.
Wash, D.C. 20011

Laurence Guyat
507 U Street, N.W.
Wash, D.C. 20001

Russell L. Carter
1409 Leegate Road, N.W.
Wash, D.C. 20012

EDWARD L. CURRY
Acting Executive Director

DATE: DEC 19

PS Form 3800, Feb. 1982

★ U.S.G.P.O. 1983-403-517

Postmark or Date		14486	
TOTAL Postage and Fees	\$	1	
Return receipt showing to whom, Date, and Address of Delivery			
Return Receipt Showing to whom and Date Delivered			
Restricted Delivery Fee			
Special Delivery Fee			
Certified Fee			
Postage	\$		
P.O., State and ZIP Code			
Street and No.			
Sent to		Laurence Guyat	

(See Reverse)

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

P 584 035 770